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SECOND SUPPLEMENTAL APPEAL BRIEF - 3 COPIES

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JUL 2 6 2004 35

PTO/SB/21 (02-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Reperiving Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/077,346 **TRANSMITTAL** Filing Date 02/14/2002 **FORM** First Named Inventor RAYMOND ZAPPE Art Unit 3612 (to be used for all correspondence after initial filing) **Examiner Name** HILARY GUTMAN Attorney Docket Number 46 0144 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication X to Technology Center (TC) Drawing(s) Fee Transmittal Form Appeal Communication to Board X Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a **Proprietary Information** Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Terminal Disclaimer Identify below): **Extension of Time Request** Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) CERTIFICATE OF MAILING Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm H. GORDON SHIELDS Individual name Signature Date 7-21-04 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name GORDON SHIELDS Η. Date 7-21-04 Signature

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PTO/SB/17 (10-03)
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Effective 10/01/2003. Patent fees are subject to annual revision.

X Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

Signature

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| Complete if Known | | | | | |
|----------------------|---------------|--|--|--|--|
| Application Number | 10/077,346 | | | | |
| Filing Date | 02/14/2002 | | | | |
| First Named Inventor | RAYMOND ZAPPE | | | | |
| Examiner Name | HILARY GUTMAN | | | | |
| Art Unit | 3612 | | | | |
| Attorney Docket No. | 0144 | | | | |

| METHOD OF PAYMENT (check all that apply) | FEE CALCULATION (continued) | | | | | | |
|--|-----------------------------|---|--------------|---------------------|--|---------------|--|
| Check Credit card Money Other None 3. ADDITIONAL FEES | | | | | | | |
| Deposit Account: | <u>Large E</u> | Entity | Small | Entity | , | | |
| Deposit | Fee Code | Fee (\$) | Fee Code | Fee /\$\ | Fee Description | | |
| Account Number | 1051 | 130 | 2051 | (\$) 65 | | Fee Paid | |
| Deposit | 1052 | 50 | 2052 | 25 | Surcharge - late filing fee or oath Surcharge - late provisional filing fee or | | |
| Account Name | 1053 | 50 | | 20 | cover sheet | | |
| The Director is authorized to: (check all that apply) | | 130 | 1053 | | Non-English specification | | |
| Charge fee(s) indicated below Credit any overpayments | | 2,520 | 1812 | | For filing a request for ex parte reexamination | | |
| Charge any additional fee(s) or any underpayment of fee(s) | 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | | |
| Charge fee(s) indicated below, except for the filing fee | 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after | | |
| to the above-identified deposit account. | | 440 | 2054 | | Examiner action | | |
| FEE CALCULATION | 1251 | 110 | 2251 | . 55 | Extension for reply within first month | 55 | |
| 1. BASIC FILING FEE | 1252 1253 | 420 | 2252 | 210 | Extension for reply within second month | | |
| Large Entity Small Entity Fee Fee Fee Fee Fee Paid | | 950 | 2253 2254 | | Extension for reply within third month | | |
| Code (\$) Code (\$) | 1254 1 | - | | 740 | Extension for reply within fourth month | | |
| 1001 770 2001 385 Utility filing fee | 1255 2 | | 2255 | 1,005 | Extension for reply within fifth month | | |
| 1002 340 2002 170 Design filing fee | 1401 | 330 | 2401 | 165 | Notice of Appeal | | |
| 1003 530 2003 265 Plant filing fee | 1402 | 330 | 2402 | | Filing a brief in support of an appeal | | |
| 1004 770 2004 385 Reissue filing fee | 1403 | 290 | 2403 | 145 | Request for oral hearing | | |
| 1005 160 2005 80 Provisional filing fee | 1451 1 | | 1451 | | Petition to institute a public use proceeding | | |
| SUBTOTAL (1) (\$) | 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | 1453 1 | | 2453 | 665 | Petition to revive - unintentional | | |
| Fee from | 1501 1 | | 2501 | | Utility issue fee (or reissue) | | |
| Total Claims Extra Claims below Fee Paid Total Claims .20** = X = | 1502 | 480 | 2502 | | Design issue fee | | |
| Independent 3** = X = X | 1503 | 640 | 2503 | | Plant issue fee | | |
| Multiple Dependent | 1460 | 130 | 1460 | | Petitions to the Commissioner | | |
| Large Entity Small Entity | 1807 | 50 | 1807 | | Processing fee under 37 CFR 1.17(q) | | |
| Fee Fee Fee Fee Description | 1806 | 180 | 1806 | | Submission of Information Disclosure Stmt | | |
| Code (\$) | 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | | |
| 1201 86 2201 43 Independent claims in excess of 3 | 1809 | 770 | 2809 | 385 | Filing a submission after final rejection | | |
| 1203 290 2203 145 Multiple dependent claim, if not paid | 1810 | 770 | 2810 | 385 | (37 CFR 1.129(a)) For each additional invention to be | | |
| 1204 86 2204 43 ** Reissue independent claims | | | | | examined (37 CFR 1.129(b)) | | |
| over original patent | 1801 | 770 | 2801 | | Request for Continued Examination (RCE) | | |
| 1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent | 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | | |
| SUPTOTAL (2) | Other fee (specify) | | | | | | |
| SUBTOTAL (2) **or number previously paid, if greater, For Reissues, see above | *Reduc | *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 55.00 | | | | | |
| (C) | | | | | | | |
| | | | | | | | |
| Name (Print/Type) H. GORDON SHIELDS | 100 | 4/ | | 123 | 7.099 Telephone 602-997 | -4979 | |

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